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10 **UNITED STATES DISTRICT COURT**  
11 **EASTERN DISTRICT OF CALIFORNIA**

12 BETTY JO MIDDLETON, ) CIVIL NO. 1:22-cv-01240-SKO  
13 Plaintiff, )  
14 ) **ORDER GRANTING STIPULATION**  
15 v. ) **AND UNOPPOSED MOTION FOR**  
16 ) **VOLUNTARY REMAND PURSUANT**  
COMMISSIONER OF SOCIAL SECURITY, ) **TO SENTENCE FOUR OF 42 U.S.C.**  
17 Defendant. ) **§ 405(g) AND TO ENTRY OF**  
JUDGMENT  
(Doc. 20)

18  
19 IT IS STIPULATED by and between Plaintiff, Betty Jo Middleton (“Plaintiff”), and  
20 Defendant, Commissioner of Social Security (“Defendant”), through their undersigned counsel  
21 of record, that the above-entitled action shall be remanded to the Commissioner of Social  
22 Security for further administrative proceedings.

23 Upon remand, the Appeals Council will remand the case to an Administrative Law  
24 Judge (“ALJ”) for a new decision. The parties further request that the Court direct the Clerk of  
25 the Court to enter a final judgment in favor of Plaintiff, and against Defendant, reversing the  
26 final decision of the Commissioner.  
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1 This stipulation constitutes a remand under the fourth sentence of Section 205(g) of the  
2 Social Security Act, 42 U.S.C. § 405(g).

3  
4 Dated: April 20, 2023

/s/ Jonathan Omar Pena

JONATHAN OMAR PENA

Attorney for Plaintiff

\*Authorized via e-mail on April 20, 2023

PHILLIP A. TALBERT

United States Attorney

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10 By: /s/ Timothy A. Razel

TIMOTHY A. RAZEL

Special Assistant United States Attorney

Attorneys for Defendant

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14 **ORDER**

15 Based upon the parties' foregoing Stipulation and Unopposed Motion for Voluntary  
16 Remand Pursuant to Sentence Four of 42 U.S.C. § 405(g) and to Entry of Judgment  
17 ("Stipulation to Remand") (Doc. 20), and for cause shown, **IT IS ORDERED** that the above-  
18 captioned action is remanded to the Commissioner of Social Security for further proceedings  
19 pursuant to the fourth sentence of Section 205(g) of the Social Security Act, 42 U.S.C. 405(g).  
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21 The Clerk of the Court shall enter a final judgment in favor of Plaintiff, and against  
22 Defendant, vacating and reversing the final decision of the Commissioner and thereafter close this  
23 case.

24 IT IS SO ORDERED.

25  
26 Dated: **April 21, 2023**

/s/ Sheila K. Oberto

UNITED STATES MAGISTRATE JUDGE